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STATEMENT OF
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ON THE

SUPPLEMENT TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR A GEOLOGIC REPOSITORY FOR THE DISPOSAL OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE AT YUCCA MOUNTAIN, NYE COUNTY, NEVADA

AMARGOSA VALLEY – Public Hearing Submittal
NYE COUNTY, NEVADA

MAY 31, 2001

The Nevada Agency for Nuclear Projects is the State agency, within the Governor's Office, designated by the Nevada Legislature to carry out the State's oversight duties associated with the federal high-level nuclear waste program. These comments are being presented on behalf of the State of Nevada, and are in addition to Nevada's comments already submitted on the Draft EIS in February, 2000. We will be submitting written comments on the Supplement prior to the
1 end of the comment period. We and affected units of local government have requested an additional 45 days be included in the comment period for this Supplement, and we urge the DOE's timely consideration of these requests.

2 The State's primary comment regarding this Supplement is that it fails to meet the requirement that the Secretary of Energy's site recommendation include a description of the proposed repository and preliminary engineering specifications for the facility. The Final Environmental Impact Statement is part of the comprehensive basis required for the Secretary's recommendation, just as is the repository design description. And, the Final EIS must reflect the proposed repository design. A set of evolving design scenarios, with variable design features and operational parameters, is neither sufficient for a Final EIS nor for a Site Recommendation, if one is to be made. The DEIS, including any supplements, is the basis for the Final Environmental Impact Statement. It must include an evaluation of the impacts associated with specific design alternatives in order to support informed public review and comment, and ultimately an informed decision by the Secretary.

The Supplement describes two general design options, one which would result in drift wall temperatures rising to above the boiling temperature, and one which would keep the waste

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Exhibit 1-1

container surface temperature below 85 degrees C. Variable operational modes and design features are discussed that, in combination could be arranged to meet either of the design options.

3 The Supplement asserts that the range of operational modes and design features described serves to bound the potential impacts of the repository. The DEIS made the same claim for the three general design options evaluated. However, the design features and operational modes described in this supplement result in an increase, beyond the bounds evaluated in the DEIS, in nearly all impacts originally analyzed.

4 Two new significant features have been added to the conceptual repository surface facility by this supplement, and neither has been adequately analyzed. The proposed blending pool, in the waste handling building, designed to hold 5,000 MTHM, or 12,000 spent fuel assemblies, is not properly included in the accident analysis. The accident analysis in the Supplement has the same scenario conditions as that in the DEIS: a seismic collapse of the waste handling building with damage to all waste casks in the building. The Supplement fails to consider that if the Waste Handling Building collapses, the large fuel blending pool, built to the same design basis accident standards, will also fail. It also does not recognize that with collapse of the building, electric power will be terminated, ending the ability to cool the spent fuel in the damaged or collapsed pool. In any case, there will be a rapid, and possibly catastrophic heating of the damaged spent fuel in the pool. This accident scenario must be fully analyzed, and its consequences described in the Supplement.

5 The Supplement also describes a 200 acre spent fuel storage area, in the vicinity of the North Portal Operations Area, that would hold 40,000 MTHM of spent fuel in 4,500 dry casks for a 50-year cooling period. This facility is the equivalent of the spent fuel storage facility proposed for Skull Valley, Utah, with the exception that the storage pad area at Skull Valley is proposed to be 100 acres. The Supplement does not include a seismic hazard analysis for this facility, that were it required to be licensed under the same NRC rules being applied to the Skull Valley proposed facility, would likely not be licensable because of the earthquake potential in the area. The Supplement must include a seismic risk and consequence analysis for this proposed spent fuel storage area.

6 Furthermore, if 50 years of storage for purposes of cooling the spent fuel is being considered, why is it necessary to bring the spent fuel to Yucca Mountain. Evaluation of a decades-long cooling period at the reactors would have provided a realistic No Action Alternative to replace the DEIS's analysis of the unrealistic scenario of essentially abandoning the spent fuel at the reactors for 10,000 years.